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NOTE

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2561st MEETING

Held in New York on Wednesday, 7 November 1984, at 10.30 a.m.

President: Mr. LING Qing (China).

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2561)

1. Adoption of the agenda

2. Election of five members of the International Court of Justice (S/16676, S/16680/Rev.1 and Add.1, S/16681 and Add.1)

The meeting was called to order at 11.10 a.m.

Tribute to the memory of Mrs. Indira Gandhi, Prime Minister of India

1. The PRESIDENT *(interpretation from Chinese):* It is with deep shock and sorrow that we have all learned of the death of an outstanding stateswoman, Mrs. Indira Gandhi, Prime Minister of the Republic of India.

2. It is fitting for the Security Council, as the principal organ of the United Nations, on which the Members have conferred primary responsibility for the maintenance of international peace and security, to pay tribute to Mrs. Indira Gandhi's deep commitment to the cause of world peace, both as Prime Minister of India and as leader of the Movement of Non-Aligned Countries.

3. Permit me, as President of the Council, and on behalf of the other members of the Council, to convey to the representative of India and, through him, to the Government of India, to the Indian people and to the bereaved family our sincere condolences.

On the proposal of the President, the members of the Security Council, standing, observed a minute of silence.

4. Mr. KRISHNAN (India): Mr. President, my colleagues in the Indian delegation and I are deeply touched by the kind sentiments you have expressed on behalf of the members of the Council and yourself. These will be duly conveyed to the Government and the people of India and to the bereaved family.

5. Since this tragic and sudden blow struck our nation, the spontaneous outpouring of sympathy, solace and support from all parts of the world has been a source of great comfort and encouragement to our people. Our democratic polity has been able to withstand this rude shock, and, thanks to the wisdom and resilience of our people, India, under the leadership of our Prime Minister, Mr. Rajiv Gandhi, is returning to normalcy.

6. I should like to reaffirm on this occasion our commitment to non-alignment, to the United Nations and to the historical continuity in our policies in favour of world peace, freedom, justice and economic and social development through international co-operation.

7. I wish to take this opportunity, Sir, to congratulate you on your assumption of the high office of the presidency of the Council for this month. We highly appreciate your diplomatic skills and experience, as well as your dedication and objectivity. I look forward to fruitful activity by the Council under your stewardship and assure you of my full co-operation.

8. I should like also to pay tribute to the admirable manner in which your predecessor, Mr. Bassole, representative of Burkina Faso, guided the affairs of the Council during the month of October.

Expression of thanks to the retiring President

9. The PRESIDENT *(interpretation from Chinese):* I should like, on behalf of the Council, to pay a tribute to Mr. Léandre Bassole, representative of Burkina Faso, for his services as President of the Council in October. Mr. Bassole earned our profound gratitude for the diplomatic skill and unfailing courtesy with which he guided the Council's deliberations last month.

Adoption of the agenda

The agenda was adopted.

Election of five members of the International Court of Justice (S/16676, S/16680/Rev.1 and Add.1,[1] S/16681 and Add.1)

10. The PRESIDENT *(interpretation from Chinese):* The Council will now proceed to the election of five members of the International Court of Justice, in accordance with the Statute of the International Court of Justice, to fill the five seats which will become vacant

on 5 February 1985 on the expiry of the terms of office of the following five Judges: Mr. Taslim Olawale Elias, Mr. Manfred Lachs, Mr. Hermann Mosler, Mr. Shigeru Oda and Mr. Abdallah Fikri El-Khani.

11. The updated list of candidates nominated by the national groups is contained in document S/16680/Rev.1. Documents S/16681 and Add.1 contain the curricula vitae of all the candidates. Document S/16680/Rev.1/Add.1 indicates that the Law Society of Kenya, the nominating national group of Kenya, has decided to withdraw the candidature of The Honourable Justice C. H. E. Miller. Consequently, his name does not appear on the ballot papers.

12. The Council also has before it a memorandum by the Secretary-General, in document S/16676, setting out the procedure to be followed in the conduct of the election. I should like to remind the Council that, under Article 10, paragraph 1, of the Statute of the Court, "Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected." The required majority in the Council is eight votes. If more than five candidates obtain the required majority, according to the procedure which has been followed in the past and which is set forth in paragraph 14 of the Secretary-General's memorandum, a new vote will be held on all the candidates. If, on the other hand, in the first ballot the number of candidates obtaining the absolute majority is less than five, the Council will proceed to a second ballot on the remaining vacancies, and balloting will continue until five of the candidates have obtained the required majority of votes.

13. Voting shall be held by secret ballot. When we proceed to the vote, members of the Council will receive a ballot containing the names of all the candidates. Members of the Council are requested to place an "x" next to the names of the five candidates for whom they wish to vote. Votes may be cast only for those candidates whose names appear on the ballot paper. Otherwise, the ballot will be considered invalid.

14. I should like to remind members of paragraph 11 of the Secretary-General's memorandum, which specifies that "Each elector may vote for no more than five candidates on the first ballot". Any ballot containing votes for more than five names will be considered invalid. When five candidates have obtained the required majority of votes, I shall communicate the result to the President of the General Assembly, and I shall request the Council to remain in session pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

15. The Council will now proceed to draw lots to select the two delegations to act as tellers.

16. The names of the delegations of the United Kingdom and the United States have been drawn, and I therefore request each of them to appoint one of its members to serve as teller.

At the invitation of the President, Mr. Berman (United Kingdom) and Mr. Rosenstock (United States of America) acted as tellers.

17. The PRESIDENT *(interpretation from Chinese)*: I take it that the Council is now ready to proceed with the election of five members of the International Court of Justice.

18. I have now been informed that the ballot papers have been collected in the General Assembly.

19. The counting of the ballots in the Security Council will now begin. The tellers will now count the ballots. As agreed in our consultations, there will be two independent countings of ballots: one by each of the tellers.

A vote was taken by secret ballot.

Number of ballot papers:	15
Number of invalid ballots:	0
Number of valid ballots:	15
Required majority:	8

Number of votes obtained:

Mr. Jens Evensen (Norway)	14
Mr. Ni Zhengyu (China)	14
Mr. Manfred Lachs (Poland)	13
Mr. Taslim Olawale Elias (Nigeria)	12
Mr. Shigeru Oda (Japan)	12
Mr. Abdallah Fikri El-Khani (Syrian Arab Republic)	7
Mr. C. G. Weeramantry (Sri Lanka)	1

20. The PRESIDENT *(interpretation from Chinese)*: The following five candidates have received the required majority of votes in the Council: Mr. Jens Evensen, Mr. Ni Zhengyu, Mr. Manfred Lachs, Mr. Taslim Olawale Elias and Mr. Shigeru Oda. I shall communicate the results to the President of the General Assembly. I request the Council to remain in session while we wait for the President of the Assembly to inform the Council of the results of the voting in the Assembly.

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* *

21. The PRESIDENT *(interpretation from Chinese)*: I should like to inform the members of the Council that I have just received from the President of the General Assembly the following letter:

"I have the honour to inform you that, at the 53rd plenary meeting of the General Assembly, held today for the purpose of electing five members of the International Court of Justice, the following five candidates obtained an absolute majority of votes in the General Assembly: Mr. Taslim Olawale Elias,

Mr. Jens Evensen, Mr. Manfred Lachs, Mr. Ni Zhengyu and Mr. Shigeru Oda."

22. As both the Security Council and the General Assembly have agreed on the same candidates, the distinguished jurists Mr. Taslim Olawale Elias, Mr. Jens Evensen, Mr. Manfred Lachs, Mr. Ni Zhengyu and Mr. Shigeru Oda have been elected as members of the International Court of Justice for a term of office of nine years beginning on 6 February 1985.

23. I should like to congratulate them and to wish them every success in the high office to which they have been elected.

The meeting rose at 12.20 p.m.

NOTE

[1] *Official Records of the General Assembly, Thirty-ninth Session, Annexes*, agenda item 15 (*c*), documents A/39/357/Rev.1-S/16680/Rev.1 and Add.1.

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